

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1386 be amended to read as follows:

- 1 Page 2, after line 42, begin a new paragraph and insert:
- 2 "SECTION 2. IC 6-1.1-18-3, AS AMENDED BY P.L.273-1999,
- 3 SECTION 53 (CURRENT VERSION), IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 3. (a) Except as
- 5 provided in subsection (b), the sum of all tax rates for all political
- 6 subdivisions imposed on tangible property within a political
- 7 subdivision may not exceed:
- 8 (1) one dollar and twenty-five cents (\$1.25) on each one hundred
- 9 dollars (\$100) of assessed valuation in territory outside the
- 10 corporate limits of a city or town; or
- 11 (2) two dollars (\$2) on each one hundred dollars (\$100) of
- 12 assessed valuation in territory inside the corporate limits of a city
- 13 or town.
- 14 (b) The proper officers of a political subdivision shall fix tax rates
- 15 which are sufficient to provide funds for the purposes itemized in this
- 16 subsection. The portion of a tax rate fixed by a political subdivision
- 17 shall not be considered in computing the tax rate limits prescribed in
- 18 subsection (a) if that portion is to be used for one (1) of the following
- 19 purposes:
- 20 (1) To pay the principal or interest on a funding, refunding, or
- 21 judgment funding obligation of the political subdivision.
- 22 (2) To pay the principal or interest on an outstanding obligation
- 23 issued by the political subdivision if notice of the sale of the
- 24 obligation was published before March 9, 1937.

1
2 (A)
3 emergency
any other major disaster; or
(B) a note issued under IC 36-2-6-18, IC 36-3-4-22,
IC 36-4-6-20, or IC 36-5-2-11 to enable a city, town, or
county to acquire necessary equipment or facilities for
municipal or county government.
To pay the principal or interest upon an obligation issued in
manner provided in IC 6-1.1-20-3 (before its repeal) or
(5)
(6)
child services (as defined in IC 12-19-7-1).
~~(7) — meet the ————— of the ——— ho ——— care for —~~
~~indigent fund.~~
Except as otherwise provided in IC 6-1.1-19 or IC 6-1.1-18.5, a
board of tax adjustment, a county auditor, or the state board of
commissioners may review the portion of a tax rate described in
(b) only to determine if it exceeds the portion actually
to provide for one (1) of the purposes itemized in that

23 SECTION
24 SECTION

FOLLOWS [EFFECTIVE MARCH 1, 2001]: Sec. 3. (a) Except as
provided in subsection (b), the sum of all tax rates for all political
subdivisions imposed on tangible property within a political
subdivision may not exceed:
forty-one and sixty-seven hundredths cents (\$0.4167) on each
hundred dollars (\$100) of assessed valuation in territory

(2)
one
inside the corporate limits of a city or town.
(b) The proper officers of a political subdivision shall fix tax rates
which are sufficient to provide funds for the purposes itemized in this
subsection. The portion of a tax rate fixed by a political subdivision
shall not be considered in computing the tax rate limits prescribed in
subsection (a) if that portion is to be used for one (1) of the following
purposes:
To pay the principal or interest on a funding, refunding, or
(2)
issued
obligation was published before March 9, 1937.
(3) To pay the principal or interest upon:

(A) an obligation issued by the political subdivision to meet an emergency which results from a flood, fire, pestilence, war, or any other major disaster; or

a note issued under IC 36-2-6-18, IC 36-3-4-22, 36-4-6-20, or IC 36-5-2-11 to enable a city, town, or to acquire necessary equipment or facilities for

(4)

the

IC 6-1.1-20-3.1 through IC 6-1.1-20-3.2.

(5) To pay a judgment rendered against the political subdivision.

(6) To meet the requirements of the family and children's fund for child services (as defined in IC 12-19-7-1).

~~— To meet — requirements of — county hospital — for the indigent —~~

(c)

county

tax

subsection

needed

subsection.

SECTION 6. IC 6-3.5-1.1-15, AS AMENDED BY P.L.273-1999, SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 15. (a) As used in this section, "attributed

(1)

currently being collected at the time

(2)

district,

governmental

attributable to the civil taxing unit; plus

(3) the amount of federal revenue sharing funds and certified shares that were used by the civil taxing unit (or any special taxing district, authority, board, or other entity formed to discharge governmental services or functions on behalf of or ordinarily attributable to the civil taxing unit) to reduce its ad valorem property tax levies below the limits imposed by IC 6-1.1-18.5; plus

in the case of a county, an amount equal to the property taxes by the county in 1999 for the county's welfare fund and

plus

in the case of a county, an amount equal to the property imposed by the county in 2000 for county hospital care

(b)

certified

1 units.
 2 percentage
 3 to
 taxing units of the county.

(c) The local government tax control board established by IC 6-1.1-18.5-11 shall determine the attributed levies of civil taxing units that are entitled to receive certified shares during a calendar year. If the ad valorem property tax levy of any special taxing district, authority, board, or other entity is attributed to another civil taxing unit under subsection (b)(2), then the special taxing district, authority, board, or other entity shall not be treated as having an attributed levy of its own. The local government tax control board shall certify the attributed levy amounts to the appropriate county auditor. The county auditor shall then allocate the certified shares among the civil taxing units of his county.

Certified shares received by a civil taxing unit shall be treated additional revenue for the purpose of fixing its budget for the year during which the certified shares will be received. The shares may be allocated to or appropriated for any purpose, property tax relief or a transfer of funds to another civil unit whose levy was attributed to the civil taxing unit in the

SECTION
 SECTION
 JANUARY

containing a consolidated city.

(b) On or before July 15 of each year, the budget agency shall make the following calculation:

ONE: Determine the cumulative balance in a county's established under section 16 of this chapter as of the end

STEP
 this

or 17(d) of this chapter by twelve (12).

STEP THREE: Multiply the STEP TWO amount by three (3).

FOUR: Subtract the amount determined in STEP THREE

(c) For 1995, the budget agency shall certify the STEP FOUR amount to the county auditor on or before July 15, 1994. Not later than January 31, 1995, the auditor of state shall distribute the STEP FOUR amount to the county auditor to be used to retire outstanding obligations for a qualified economic development tax project (as defined in IC 36-7-27-9).

After 1995, the STEP FOUR amount shall be distributed to the auditor in January of the ensuing calendar year. The STEP amount shall be distributed by the county auditor to the civil

1 units within thirty (30) days after the county auditor receives the
2 Each civil taxing unit's share equals the STEP FOUR
3
4 (1)
5 IC
6 amount
for **and an amount**
equal to the property taxes imposed by the county in 2000 for
county hospital care for the indigent; divided by
(2) the sum of the maximum permissible property tax levies under
IC 6-1.1-18.5 for all civil taxing units of the county, plus an
amount equal to the property taxes imposed by the county in 1999
13 for the county's welfare administration fund **an amount**
14 **to the property taxes imposed by the county in 2000 for**
15

SECTION 5. IC 6-3.5-6-18, AS AMENDED BY P.L.273-1999,
SECTION 71, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JANUARY 1, 2001]: Sec. 18. (a) The revenue a county auditor
19 receives under this chapter shall be used to:

20 replace the amount, if any, of property tax revenue lost due to
21 allowance of an increased homestead credit within the county;
22 fund the operation of a public communications system and
23 facilities district as provided in an election, if any, made
24

25 (3)
provided in an election, if any, made by the county fiscal body
27 under IC 36-9-4-42;
28

29 (5) make payments permitted under subsection — (i);

30 (6)
units of a county.

(b) The county auditor shall retain from the payments of the county's
33 certified distribution, an amount equal to the revenue lost, if any, due
34 the increase of the homestead credit within the county. This money
35 be distributed to the civil taxing units and school corporations of
36 property tax collections and in such a
37 that no civil taxing unit or school corporation shall suffer a net
38

39 (c)
40 the county fiscal body
41 ~~(f), (i),~~ 36-7-15.1-17.5, IC 36-8-15-19(b), and IC 36-9-4-42 from the
42 certified distribution for that same calendar year. The county
43 shall distribute amounts retained under this subsection to the
44

45 (d)
46 distributed

1 taxing units of the county as distributive shares.

2 (e) The amount of distributive shares that each civil taxing unit in
3 a county is entitled to receive during a month equals the product of the
4 following:

5 (1) The amount of revenue that is to be distributed as distributive
6 shares during that month; multiplied by

7 (2) A fraction. The numerator of the fraction equals the total
8 property taxes that are first due and payable to the civil taxing
9 unit during the calendar year in which the month falls, plus, for a
10 county, an amount equal to the property taxes imposed by the
11 county in 1999 for the county's welfare fund and welfare
12 administration fund **and an amount equal to the property taxes**
13 **imposed by the county in 2000 for county hospital care for the**
14 **indigent.** The denominator of the fraction equals the sum of the
15 total property taxes that are first due and payable to all civil taxing
16 units of the county during the calendar year in which the month
17 falls, plus an amount equal to the property taxes imposed by the
18 county in 1999 for the county's welfare fund and welfare
19 administration fund **and an amount equal to the property taxes**
20 **imposed by the county in 2000 for county hospital care for the**
21 **indigent.**

22 (f) The state board of tax commissioners shall provide each county
23 auditor with the fractional amount of distributive shares that each civil
24 taxing unit in the auditor's county is entitled to receive monthly under
25 this section.

26 (g) Notwithstanding subsection (e), if a civil taxing unit of an
27 adopting county does not impose a property tax levy that is first due
28 and payable in a calendar year in which distributive shares are being
29 distributed under this section, that civil taxing unit is entitled to receive
30 a part of the revenue to be distributed as distributive shares under this
31 section within the county. The fractional amount such a civil taxing
32 unit is entitled to receive each month during that calendar year equals
33 the product of the following:

34 (1) The amount to be distributed as distributive shares during that
35 month; multiplied by

36 (2) A fraction. The numerator of the fraction equals the budget of
37 that civil taxing unit for that calendar year. The denominator of
38 the fraction equals the aggregate budgets of all civil taxing units
39 of that county for that calendar year.

40 (h) If for a calendar year a civil taxing unit is allocated a part of a
41 county's distributive shares by subsection (g), then the formula used in
42 subsection (e) to determine all other civil taxing units' distributive
43 shares shall be changed each month for that same year by reducing the
44 amount to be distributed as distributive shares under subsection (e) by
45 the amount of distributive shares allocated under subsection (g) for that
46 same month. The state board of tax commissioners shall make any

1 appropriate county auditors.

3 ⊕ Notwithstanding any other law, a county fiscal body may
4 revenues received under this chapter to the payment of bonds
5 lease rentals to finance a qualified economic development tax
6
7 county
8 opportunities for the gainful employment or
of the county's residents.

SECTION 6. IC 6-3.5-6-18.5, AS AMENDED BY P.L.273-1999,
11 SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 1, 2001]: Sec. 18.5. (a) This section applies to a county
13
14 (b)
15 shares
city is entitled to receive during a month equals the following:

(1) For the calendar year beginning January 1, 1995, calculate the
total amount of revenues that are to be distributed as distributive
19 shares during that month multiplied by the following factor:

20	.0251
21	.00217
22	.0023
23	.01177
24	.01130
25	.01865
26	.01359
27	.01346
28	.01307
29	.00858
30	.00845
31	.00025
32	.00722
33	.86409

34 Notwithstanding subdivision (1), for the calendar year
35 January 1, 1995, the distributive shares for each civil
36 unit in a county containing a consolidated city shall be not
37
38 Center Township
39 Decatur Township
40 Franklin Township
41 Lawrence Township
42 Perry Township
43 Pike Township
44 Warren Township
45 Washington Township
46 Wayne Township

1	Lawrence-City	\$648,848
2	Beech Grove	\$639,017
3	Southport	\$18,906
4	Speedway	\$546,000
5	(3) For each year after 1995, calculate the total amount of	
6	revenues that are to be distributed as distributive shares during	
7	that month as follows:	
8	STEP ONE: Determine the total amount of revenues that were	
9	distributed as distributive shares during that month in calendar	
10	year 1995.	
11	STEP TWO: Determine the total amount of revenue that the	
12	department has certified as distributive shares for that month	
13	under section 17 of this chapter for the calendar year.	
14	STEP THREE: Subtract the STEP ONE result from the STEP	
15	TWO result.	
16	STEP FOUR: If the STEP THREE result is less than or equal	
17	to zero (0), multiply the STEP TWO result by the ratio	
18	established under subdivision (1).	
19	STEP FIVE: Determine the ratio of:	
20	(A) the maximum permissible property tax levy under	
21	IC 6-1.1-18.5 and IC 6-1.1-18.6 for each civil taxing unit for	
22	the calendar year in which the month falls, plus, for a	
23	county, an amount equal to the property taxes imposed by	
24	the county in 1999 for the county's welfare fund and welfare	
25	administration fund plus the property taxes imposed by	
26	the county in 2000 for county hospital care for the	
27	indigent; divided by	
28	(B) the sum of the maximum permissible property tax levies	
29	under IC 6-1.1-18.5 and IC 6-1.1-18.6 for all civil taxing	
30	units of the county during the calendar year in which the	
31	month falls, and an amount equal to the property taxes	
32	imposed by the county in 1999 for the county's welfare fund	
33	and welfare administration fund plus the property taxes	
34	imposed by the county in 2000 for county hospital care	
35	for the indigent.	
36	STEP SIX: If the STEP THREE result is greater than zero (0),	
37	the STEP ONE amount shall be distributed by multiplying the	
38	STEP ONE amount by the ratio established under subdivision	
39	(1).	
40	STEP SEVEN: For each taxing unit determine the STEP FIVE	
41	ratio multiplied by the STEP TWO amount.	
42	STEP EIGHT: For each civil taxing unit determine the	
43	difference between the STEP SEVEN amount minus the	
44	product of the STEP ONE amount multiplied by the ratio	
45	established under subdivision (1). The STEP THREE excess	
46	shall be distributed as provided in STEP NINE only to the civil	

taxing units that have a STEP EIGHT difference greater than or equal to zero (0).

STEP NINE: For the civil taxing units qualifying for a distribution under STEP EIGHT, each civil taxing unit's share equals the STEP THREE excess multiplied by the ratio of:

(A) the maximum permissible property tax levy under IC 6-1.1-18.5 ~~and IC 6-1.1-18.6~~ for the qualifying civil taxing unit during the calendar year in which the month falls, plus, for a county, an amount equal to the property taxes imposed by the county in 1999 for the county's welfare fund and welfare administration fund **plus the property taxes imposed by the county in 2000 for county hospital care for the indigent**; divided by

(B) the sum of the maximum permissible property tax levies under IC 6-1.1-18.5 ~~and IC 6-1.1-18.6~~ for all qualifying civil taxing units of the county during the calendar year in which the month falls, and an amount equal to the property taxes imposed by the county in 1999 for the county's welfare fund and welfare administration fund **plus the property taxes imposed by the county in 2000 for county hospital care for the indigent.**

SECTION 7. IC 6-3.5-7-12, AS AMENDED BY P.L.124-1999, SECTION 1, AND AS AMENDED BY P.L.273-1999, SECTION 74, IS CORRECTED AND IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 12. (a) Except as provided in section 23 of this chapter, the county auditor shall distribute in the manner specified in this section the certified distribution to the county.

(b) Except as provided in subsections (c) and (h) and section 15 of this chapter, the amount of the certified distribution that the county and each city or town in a county is entitled to receive during May and November of each year equals the product of the following:

(1) The amount of the certified distribution for that month; multiplied by

(2) A fraction. The numerator of the fraction equals the sum of the following:

(A) Total property taxes that are first due and payable to the county, city, or town during the calendar year in which the month falls; plus

(B) For a county, an amount equal to the property taxes imposed by the county in 1999 for the county's welfare fund and welfare administration fund **and an amount equal to the property taxes imposed by the county in 2000 for county hospital care for the indigent.**

The denominator of the fraction equals the sum of the total property taxes that are first due and payable to the county and all cities and towns of the county during the calendar year in which

the month falls, plus an amount equal to the property taxes imposed by the county in 1999 for the county's welfare fund and welfare administration fund **and an amount equal to the property taxes imposed by the county in 2000 for county hospital care for the indigent.**

(c) This subsection applies to a county council or county income tax council that imposes a tax under this chapter after June 1, 1992. The body imposing the tax may adopt an ordinance before July 1 of a year to provide for the distribution of certified distributions under this subsection instead of a distribution under subsection (b). The following apply if an ordinance is adopted under this subsection:

- (1) The ordinance is effective January 1 of the following year.
- (2) The amount of the certified distribution that the county and each city and town in the county is entitled to receive during May and November of each year equals the product of:

(A) the amount of the certified distribution for the month; multiplied by

(B) a fraction. For a city or town, the numerator of the fraction equals the population of the city or the town. For a county, the numerator of the fraction equals the population of the part of the county that is not located in a city or town. The denominator of the fraction equals the sum of the population of all cities and towns located in the county and the population of the part of the county that is not located in a city or town.

- (3) The ordinance may be made irrevocable for the duration of specified lease rental or debt service payments.

(d) The body imposing the tax may not adopt an ordinance under subsection (c) if, before the adoption of the proposed ordinance, any of the following have pledged the county economic development income tax for any purpose permitted by IC 5-1-14 or any other statute:

- (1) The county.
- (2) A city or town in the county.
- (3) A commission, a board, a department, or an authority that is authorized by statute to pledge the county economic development income tax.

(e) The state board of tax commissioners shall provide each county auditor with the fractional amount of the certified distribution that the county and each city or town in the county is entitled to receive under this section.

(f) Money received by a county, city, or town under this section shall be deposited in the unit's economic development income tax fund.

(g) Except as provided in subsection (b)(2)(B), in determining the fractional amount of the certified distribution the county and its cities and towns are entitled to receive under subsection (b) during a calendar year, the state board of tax commissioners shall consider only property taxes imposed on tangible property subject to assessment in that

1 county.

2 (h) In a county having a consolidated city, only the consolidated city
3 is entitled to the certified distribution, subject to the requirements of
4 section 15 of this chapter.

5 SECTION 8. IC 12-15-15-9 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 9. (a) For each
7 state fiscal year beginning on or after July 1, 1997, a hospital is entitled
8 to a payment under this section.

9 (b) Total payments to hospitals under this section for a state fiscal
year shall be equal to all amounts transferred from the hospital care for
the indigent fund for Medicaid current obligations during the state
fiscal year, including amounts of the fund appropriated for Medicaid
13 current obligations.

14 The payment due to a hospital under this section must be based

15

16

(1)

17 (2) must —tempt, — the extent ————— as determined — the
18 office, — establish a ————— rate that ————— the difference
19 ————— the aggregate ————— paid under — section to —
20 hospitals in — county for — state fiscal — and the ————— of the
21 ————— hospital care — the indigent ————— tax levy for —
22 state fiscal — and

23

— (2)

24

th

25

~~IC 12-15-15-8~~

chapter (repealed) for the state

26

fiscal year ending June 30, 1997.

27

Following the transfer of funds under subsection (b), an amount

28

to the amount determined in the following STEPS shall be

29

in the Medicaid indigent care trust fund under

30

12-15-20-2(1) and used to pay the state's share of the enhanced

31

STEP ONE: Determine the difference between:

32

(A) the amount transferred from the state hospital care for the
34 indigent fund under subsection (b); and

35

36

STEP

37

by

year.

38

SECTION 9. IC 12-16-7-2 IS AMENDED TO READ AS
FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 2. (a) Except as
provided in section 5 of this chapter, claims for payment shall be
segregated by year using the patient's admission date.

42

43

Each year the division shall pay claims as provided in section 4

44

this chapter, without regard to the county of admission. ~~or that~~

45

~~transfer to — state fund.~~

46

10. IC 12-16-7-3 IS AMENDED TO READ AS

1 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 3. A payment
 2 made to a hospital under the hospital care for the indigent program
 3 must be on a warrant drawn on the state ~~hospital care for the indigent~~
 4 ~~fund established by IC 12-16-14:~~ **general fund.**

5 SECTION 11. IC 12-16-7-4 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 4. (a) Each year
 7 the division shall pay two-thirds (2/3) of each claim upon submission
 8 and approval of the claim.

9 (b) If the amount of money in the state hospital care for the indigent
 10 fund in a year is insufficient to pay two-thirds (2/3) of each approved
 11 claim for patients admitted in that year, the state's ~~and a county's~~
 12 liability to providers under the hospital care for the indigent program
 13 for claims approved for patients admitted in that year is limited to the
 14 ~~sum of the following:~~

15 ~~(1) The amount transferred to the state hospital care for the~~
 16 ~~indigent fund from county hospital care for the indigent funds in~~
 17 ~~that year under IC 12-16-14:~~

18 ~~(2) any contribution to the fund in that year~~

19 ~~(3) and any amount that was appropriated to the state hospital~~
 20 ~~care for the indigent fund program for that year by the general~~
 21 ~~assembly.~~

22 ~~(4) Any amount that was carried over to the state hospital care for~~
 23 ~~the indigent fund from a preceding year.~~

24 ~~(c) This section does not obligate the general assembly to~~
 25 ~~appropriate money to the state hospital care for the indigent fund.~~

26 SECTION 12. IC 12-16-7-5 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 5. Before the end
 28 of each state fiscal year, the division shall, to the extent there is money
 29 ~~in appropriated to the state hospital care for the indigent fund;~~
 30 **program,** pay each provider under the hospital care for the indigent
 31 program a pro rata part of the one-third (1/3) balance on each approved
 32 claim for patients admitted during the preceding year.

33 SECTION 13. IC 12-19-1-21, AS ADDED BY P.L.273-1999,
 34 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JANUARY 1, 2001]: Sec. 21. (a) Notwithstanding any other law, after
 36 December 31, 1999, a county may not impose any of the following:

37 (1) A property tax levy for a county welfare fund.

38 (2) A property tax levy for a county welfare administration fund.

39 **(b) Notwithstanding any other law, after December 31, 2000, a**
 40 **county may not impose a property tax levy for the county hospital**
 41 **care for the indigent fund.**

42 SECTION 14. IC 12-19-1-23 IS ADDED TO THE INDIANA
 43 CODE AS A NEW SECTION TO READ AS FOLLOWS
 44 [EFFECTIVE JANUARY 1, 2001]: Sec. 23. **Notwithstanding any**
 45 **other law, after December 31, 2000, the state shall fund one**
 46 **hundred percent (100%) of hospital care for the indigent**

programs, services, and activities paid from property tax levies for the hospital care for the indigent fund before January 1, 2001.

15. IC 12-19-1.5-6, AS ADDED BY P.L.273-1999,

JULY

means the sum of:

(1) the property taxes imposed on the assessed value of property in the allocation area in excess of the base assessed value in 1999 for:

— (A)

(2) (B) the county welfare administration fund;

(2)

property in the

value in 2000 for county hospital care for the indigent.

SECTION 16. IC 12-19-1.5-8, AS ADDED BY P.L.273-1999, SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 8. (a) This chapter applies to an allocation area:

in which:

— (A)

1,

obligations due after December 31, 1999; and

(2) the elimination of a county welfare fund property tax or a county welfare administration fund property tax levy affects the ability of the governing body to repay the

~~subdivision~~ — **clause (A); or**

(2) in which:

the holders of obligations received a pledge before July 2000, of tax increment revenues to repay any part of the

(B)

indigent

governing

(A).

(b) A governing body may use one (1) or more of the procedures described in sections 9 through 11 of this chapter to provide sufficient funds to repay the obligations described in subsection (a). The amount raised each year may not exceed the replacement amount.

SECTION

JANUARY

hearing,

located in an allocation area to repay:

(1) a bond or an obligation described in ——— 8 section 8(a)(1) of this chapter that comes due after December 31, 1999; or

(2) a bond or an obligation described in section 8(a)(2) of this chapter that comes due after December 31, 2000.

1 The amount of a special assessment for a taxpayer shall be determined
2 by multiplying the replacement amount by a fraction, the denominator
3 of which is the total incremental assessed value in the allocation area,
4 and the numerator of which is the incremental assessed value of the
5 taxpayer's property in the allocation area.

6 (b) Before a public hearing under subsection (a) may be held, the
7 governing body must publish notice of the hearing under IC 5-3-1. The
8 notice must state that the governing body will meet to consider whether
9 a special assessment should be imposed under this chapter and whether
10 the special assessment will help the governing body realize the
11 redevelopment or economic development objectives for the allocation
12 area or honor its obligations related to the allocation area. The notice
13 must also name a date when the governing body will receive and hear
14 remonstrances and objections from persons affected by the special
15 assessment. All persons affected by the hearing, including all taxpayers
16 within the allocation area, shall be considered notified of the pendency
17 of the hearing and of subsequent acts, hearings, and orders of the
18 governing body by the notice. At the hearing, which may be adjourned
19 from time to time, the governing body shall hear all persons affected by
20 the proceedings and shall consider all written remonstrances and
21 objections that have been filed. The only grounds for remonstrance or
22 objection are that the special assessment will not help the governing
23 body realize the redevelopment or economic development objectives
24 for the allocation area or honor its obligations related to the allocation
25 area. After considering the evidence presented, the governing body
26 shall take final action concerning the proposed special assessment. The
27 final action taken by the governing body shall be recorded and is final
28 and conclusive, except that an appeal may be taken in the manner
29 prescribed by subsection (c).

30 (c) A person who filed a written remonstrance with a governing
31 body under subsection (b) and is aggrieved by the final action taken
32 may, within ten (10) days after that final action, file in the office of the
33 clerk of the circuit or superior court a copy of the order of the
34 governing body and the person's remonstrance or objection against that
35 final action, together with a bond conditioned to pay the costs of appeal
36 if the appeal is determined against the person. The only ground of
37 remonstrance or objection that the court may hear is whether the
38 proposed assessment will help achieve the redevelopment or economic
39 development objectives for the allocation area or honor its obligations
40 related to the allocation area. An appeal under this subsection shall be
41 promptly heard by the court without a jury. All remonstrances or
42 objections upon which an appeal has been taken must be consolidated,
43 heard, and determined within thirty (30) days after the time of the filing
44 of the appeal. The court shall hear evidence on the remonstrances or
45 objections, and may confirm the final action of the governing body or
46 sustain the remonstrances or objections. The judgment of the court is

1 final
2 (d)
may not exceed the replacement amount.
(e) A special assessment shall be imposed and collected in the same
5 manner as ad valorem property taxes are imposed and collected.
6 18. THE FOLLOWING ARE REPEALED [EFFECTIVE
7
8 SECTION (a)
9 any other law, after December 31, 2000, the state
10 fund one hundred percent (100%) of hospital care for the
11 programs, services, and activities paid before January 1,
12 from property tax levies for the county hospital care for the
13
14 (c)
15 county
16 care for the indigent fund.
Renumber all SECTIONS consecutively.
(Reference is to HB 1386 as printed January 28, 2000.)
